



94-102

ORIGINAL

DOCKET FILE COPY ORIGINAL

RECEIVED

February 1, 2003

FEB - 3 2003

Thomas Sugrue, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

David Solomon, Chief
Enforcement Division
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Re: Leap's 2nd E911 Quarterly Report

Gentlemen:

Pursuant to the Commission's July, 2002 Order to Stay,¹ Leap Wireless International, Inc. and its subsidiaries (collectively, "Leap") respectfully submits its second Enhanced 911 ("E911") quarterly implementation report for the period ending February 1, 2003. As described below, Leap continues to make solid progress towards full E911 functionality, and to exert best efforts towards that end.

1. Status of Pending Requests

As of January 31, 2003, Leap provided Phase I service to 154 PSAPs in 11 states. The delay Leap noted in its previous quarterly report concerning the deployment of Phase I service to several PSAPs in one of Leap's Cricket markets in Arkansas has been resolved. Leap is pleased to report that there are no pending Phase I requests that are older than six months.

¹ See Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911, Order to Stay, CC Dkt No. 94-102 ¶¶ 28-30 (rel. July 26, 2002) (the "July Order").

Appendix A lists all pending Phase I and Phase II requests Leap has received as of January 31, 2003, including valid requests and those for which the PSAP lacks one or more prerequisites to their validity. Leap has, through a third party vendor, contacted each PSAP to verify whether or not the PSAP will be ready to accept Phase II data by the March 1, 2003 mandate and whether the PSAP has a funding mechanism in place. As a result of those inquiries, Leap has determined that several PSAP requests are not yet valid and, according to the PSAPs, will not be valid by March 1, 2003. These are noted in Appendix A. Leap has requested that each PSAP notify Leap when they have fulfilled the prerequisites to Phase II readiness and Leap will begin testing with them soon thereafter. Likewise, because the attached list is based in large part upon the various PSAPs' prediction as to their own readiness, it may be modified and appear in revised form in future quarterly reports.

2. Status of Network Upgrades

Leap continues to make solid progress towards network readiness. Leap has installed all necessary upgrades to all of its switches, including those manufactured by Lucent, Ericsson and Nortel. Thus Leap's network switch equipment is ready to support Phase II service. However, Leap must depend on third party providers to implement aspects of its E911 solution.

Leap's handset-based solution will use A-GPS technology for Phase II service and therefore also requires the use of a Mobile Positioning Center (MPC) and Position Determination Equipment (PDE) in addition to the switch upgrades already completed. To provide this functionality Leap utilizes a service bureau. As the FCC previously recognized in its Order to Stay, Leap, as a mid-sized carrier, will be faced with additional challenges in rolling out E911 service as compared to the national carriers. In particular the FCC has recognized those challenges caused by dependence upon third parties.

In order to minimize the risks associated with reliance upon a third party vendor, last year Leap successfully negotiated an agreement with one of the two national E911 service bureaus for Phase II service. Specifically, that vendor will provide its own custom developed MPC/PDE in a "hosted" versus "in-network" environment. Leap was the first carrier to execute a Phase II contract for the delivery of hosted MPC/PDE functionality.

Leap recognized that with any unproven technology involving multiple vendors and new interfaces, integration with existing infrastructure would pose a number of challenges. To mitigate these concerns and to identify and resolve inherent risks associated with full-scale deployment of this new technology, Leap, guided

by the recommendation of its service bureau, designated a First Office Application (FOA) Phase II deployment for its Wilson County, Tennessee market. This FOA must be successfully completed before Leap moves forward with full-scale valid Phase II deployments in other areas.

In accordance with a previously agreed upon timetable between Leap and the MPC/PDE vendor, the FOA was scheduled to be completed by October 30, 2002. However, due to a series of technical integration issues, testing did not begin until December 16, 2002. A number of those issues were determined to be between the MPC vendor's base platform and the PDE vendor's software and were well beyond the control of Leap to resolve. According to Leap's service bureau the MPC/PDE integration issues have been largely eliminated as of this filing. However, until end-to-end testing is satisfactorily completed, concerns exist about meeting the March 1, 2003 mandate for Phase II service deployment of PSAP requests that are at least six months old.

When it became obvious to Leap that its service bureau may not be able to deliver a commercial product in time to meet the FCC deadline Leap contacted the only other national E911 vendor to explore an alternative deployment strategy. Leap will continue to explore a relationship with this vendor, however, it does not believe a change of service providers at this stage will allow Leap to meet the March 1, 2003 deadline. Nonetheless, Leap remains confident, in spite of these challenges, that all testing will be satisfactorily completed between the service bureau and the Leap switch serving Wilson, Tennessee by March 1, 2003.

Between now and the March 1, 2003 date, Leap and its MPC/PDE vendor will be contacting each PSAP that has requested Phase II service to see if all parties can mutually agree to a revised Phase II deployment schedule. Leap is making a good faith effort to comply with the mandate and believes that all or most of the PSAPs will recognize that good faith effort and show flexibility as we prioritize the resources involved in making Phase II a reality.

3. Status of Handset Deployment

Leap began selling ALI handsets on June 30, 2002. As of January 31, 2003, Leap had sold and activated 20 ALI handsets. The Kyocera 2325 is the only ALI-capable handset that Leap currently offers for sale; however, Leap plans to offer the Motorola 120e model beginning in February 2003 and expects to meet the May 31, 2003 benchmark of 25 percent of new subscribers activating service with ALI-capable handsets.

4. Status of Deployment Benchmarks

No handset deployment benchmark dates passed during this period.

As required in the July Order, Leap is providing this implementation report to the Association of Public Safety Communications Officials (APCO), the National Emergency Numbering Association (NENA) and the National Association of State Nine One One Administrators (NASNA). If any recipient of this report should have questions or comments concerning the information contained in the report, they should contact Laurie Itkin, Director-Government Affairs, at 858-882-6226.

Please note that I am an officer of Leap. Please note also that this notarized Report will, in accordance with the July Order, serve as an affidavit authenticating the facts set forth herein.

I swear under penalty of perjury that the facts set forth herein are true and correct to the best of my knowledge information and belief.



Glenn Umetsu
Senior Vice President—
Engineering & Operations

Cc: Laurie Itkin
James Barker, Esq.

APPENDIX A

PENDING E911 PHASE 1 AND PHASE 2 DEPLOYMENTS

PHASE I DEPLOYMENT REQUESTS

State	County	PSAP Name	PSAP Status	Request Date	Valid Request	Phase
OK	Tulsa	Tulsa Police Department	Primary	08/09/02	Y	1
AZ	Pinal	Statewide Request	Primary	10/01/02	N	1
AZ	Maricopa	Statewide Request	Primary	10/01/02	N	1
WA	Spokane	Emergency Service Communication System	Primary	12/04/02	Y	1
NM	Bernalillo	Albuquerque Police Department Communications	Primary	12/20/02	Y	1
NM	Bernalillo	Bernalillo County Communications Department	Primary	12/20/02	Y	1
NC	Union	Union County Emergency Communications	Primary	01/13/03	Y	1

PHASE II DEPLOYMENT REQUESTS

AR	Washington	Fayetteville Police Department	Primary	08/21/00	Y	2
AR	Washington	Springdale Police Department	Primary	08/21/00	Y	2
AR	Washington	Washington County Sheriffs Office	Primary	08/21/00	Y	2
CO	Denver	Denver County E911	Primary	06/28/02	Y	2
CO	Larimer	Colorado State University Police Department	Primary	08/08/02	Y	2
CO	Larimer	Estes Park Police Department	Primary	08/08/02	Y	2
CO	Larimer	Fort Collins Police Department	Primary	08/08/02	Y	2
CO	Larimer	Larimer County Sheriffs Office	Primary	08/08/02	Y	2
CO	Larimer	Loveland Emergency Communications Center	Primary	08/08/02	Y	2
CO	Summit	Summit County Communications Center	Primary	03/28/02	N	2
NC	Catawba	Catawba County Communications Center	Primary	05/24/02	Y	2
NC	Davidson	Davidson County Communications	Primary	08/01/02	Y	2
NC	Forsyth	County of Forsyth Fire Department	Primary	10/15/02	Y	2
NC	Guilford	Guilford County Emergency Services	Primary	04/01/02	Y	2
NC	Guilford	High Point Police Department	Primary	04/22/02	Y	2
NC	Iredell	Iredell County Emergency Communications	Primary	10/18/02	Y	2
NC	Mecklenburg	Charlotte and Mecklenburg Police Department	Primary	04/03/02	Y	2
NC	Randolph	Randolph County Emergency Management	Primary	01/06/02	Y	2
NC	Rowan	Rowan County Emergency Communications	Primary	08/16/01	Y	2
NC	Gaston	Gaston County Police Communications	Primary	12/11/02	Y	2
NC	Rockingham	Rockingham County E 911	Primary	11/01/02	N	2
NC	Union	Union County Emergency Communications	Primary	01/13/03	Y	2
OH	Miami	Miami County Communications Center	Primary	07/23/01	N	2
TN	Anderson	Anderson County E911	Primary	12/28/01	Y	2
TN	Anderson	Anderson County EMS	Secondary	12/28/01	Y	2
TN	Anderson	Clinton Police Department	Primary	12/28/01	Y	2
TN	Anderson	Lake City Police Department	Primary	12/28/01	Y	2
TN	Anderson	Oak Ridge Police Department	Primary	12/28/01	Y	2
TN	Anderson	Oliver Springs Police Department	Primary	12/28/01	Y	2
TN	Blount	Blount County Communications Center	Primary	12/28/01	Y	2
TN	Cheatham	Cheatham County Sheriffs Office	Primary	12/28/01	Y	2
TN	Davidson	Metropolitan Communications Center	Primary	12/28/01	Y	2
TN	Fayette	Fayette County Sheriffs Office	Primary	12/28/01	Y	2
TN	Hamilton	Chattanooga Police Department	Primary	12/28/01	Y	2
TN	Hamilton	East Ridge Police Department	Primary	12/28/01	Y	2
TN	Hamilton	Hamilton County Police	Primary	12/28/01	Y	2
TN	Hamilton	Lookout Mountain Police Department	Primary	12/28/01	Y	2

APPENDIX A

PENDING E911 PHASE 1 AND PHASE 2 DEPLOYMENTS

TN	Hamilton	Red Bank Police Department	Primary	12/28/01	Y	2
TN	Hamilton	Signal Mountain Police Department	Primary	12/28/01	Y	2
TN	Hamilton	Soddy-Daisy Police Department	Primary	12/28/01	Y	2
TN	Jefferson	Jefferson County 911	Primary	12/28/01	Y	2
TN	Knox	Knox Emergency Communications District	Primary	12/28/01	Y	2
TN	Loudon	Loudon County Sheriffs Office	Primary	12/28/01	Y	2
TN	Marion	911 Dispatch	Primary	12/28/01	Y	2
TN	Marshall	Marshall County 911	Primary	12/28/01	Y	2
TN	Maury	Maury County 911	Primary	12/28/01	Y	2
TN	Montgomery	Montgomery County Sheriffs Department's 911 Office	Primary	12/28/01	Y	2
TN	Robertson	Robertson County Sheriffs Office	Primary	12/28/01	Y	2
TN	Robertson	Springfield Police Department	Primary	12/28/01	Y	2
TN	Rutherford	LaVergne Police Department	Primary	12/28/01	Y	2
TN	Rutherford	Murfreesboro Police & Fire Dispatch	Primary	12/28/01	Y	2
TN	Rutherford	Rutherford County EMS and Ambulance Service	Secondary	12/28/01	Y	2
TN	Rutherford	Rutherford County Emergency Communications	Primary	12/28/01	Y	2
TN	Rutherford	Smyrna Police Department	Primary	12/28/01	Y	2
TN	Sevier	Gatlinburg Police Department	Primary	12/28/01	Y	2
TN	Sevier	Pigeon Forge Police Department	Primary	12/28/01	Y	2
TN	Sevier	Sevier County Sheriffs Office	Primary	12/28/01	Y	2
TN	Sevier	Sevierville Police Department	Primary	12/28/01	Y	2
TN	Shelby	Bartlett Police Department	Primary	12/28/01	Y	2
TN	Shelby	Collierville Police Department	Primary	12/28/01	Y	2
TN	Shelby	Germantown Police Department	Primary	12/28/01	Y	2
TN	Shelby	Memphis Police Department	Primary	12/28/01	Y	2
TN	Shelby	Millington Police Department	Primary	12/28/01	Y	2
TN	Shelby	Naval Support Activity Security Department	Primary	12/28/01	Y	2
TN	Shelby	Shelby County Fire Department	Secondary	12/28/01	Y	2
TN	Shelby	Shelby County Sheriffs Department	Primary	12/28/01	Y	2
TN	Sumner	Gallatin Police Department	Primary	12/28/01	Y	2
TN	Sumner	Hendersonville Police Department	Primary	12/28/01	Y	2
TN	Sumner	Portland Police Department	Primary	12/28/01	Y	2
TN	Sumner	Sumner County Sheriffs Office	Primary	12/28/01	Y	2
TN	Tipton	Covington Police Department	Primary	12/28/01	Y	2
TN	Williamson	Brentwood Police & Fire Department	Primary	12/28/01	Y	2
TN	Williamson	Franklin Police Department	Primary	12/28/01	Y	2
TN	Williamson	Williamson County Sheriffs Office	Primary	12/28/01	Y	2
TN	Wilson	Wilson County 911	Primary	12/28/01	Y	2